

## CHAP. 193.



any part of it; and they, their agents, or those with whom they may contract for making any part of the same, or their agents, after the purchase or condemnation thereof in the manner hereinafter prescribed, may enter upon and use, and excavate, any land which may be wanted for the scite of said road, or the erection of warehouses, for other works necessary to said road, or for any other purpose necessary or useful in the construction or repair of said road, or its works; and that they may build bridges, may fix scales and weights, may lay rails, may take and use any earth, timber, gravel, stone, or other materials, which may be wanted for the construction or repair of any part of said road, or any of its works; and may make and construct all works whatsoever which may be necessary and expedient in order to the proper completion of said road; *Provided nevertheless*, that before the company, hereby incorporated, form a junction with the Baltimore and Ohio Rail Road, or the Baltimore and Susquehannah Rail Road, they shall obtain the assent to such junction of the president and directors of said roads respectively, under their respective corporate seals.

Proviso

May agree for land  
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Sec. 15. *And be it enacted*, That the president and directors of said company, or a majority of them, or any person or persons authorised by a majority of them, may agree with the owner or owners of any land, earth, timber, gravel or stone, or other materials, or any improvements, which may be wanted for the construction or repair of any of said roads, or any of its works, for the purchase, or use and occupation of the same, and if they cannot agree, and if the owner or owners, or any of them, be a *feme covert*, under age, *non compos mentis*, or out of the county in which the property wanted may lie, when such land and material may be wanted, application may be made to any justice of the peace of such county, who shall thereupon issue his warrant, under hand and seal, directed to the sheriff of said county, requiring him to summon a jury of twenty inhabitants of said county, not related, nor in anywise interested, to meet on the land, or near to the other property or materials to be valued, on a day named in said warrant, not less than ten, nor more than twenty days after the issuing of the same; and if at said time and place, any of said jurors summoned, do not attend, the said sheriff shall immediately summon as many jurors as may be necessary, with the jurors in attendance, to furnish a pannel of twenty jurors in attendance, and from them each party, or its, his, her or their agents, or if either be not present in person or by agent, the sheriff for him, her, it or them, may strike off four jurors, and the remaining twelve shall act as the jury of inquest of damages; and before they act as such, the said sheriff shall administer to each of them an oath, or affirmation, as the case may be, that he will justly and impartially value the da-